IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

Writ Petition No. 938 (SS) of 2007

1. Umeedu Lal S/o Panu Lal, R/o Village – Thati, Mumma Dayal Charti, Post – Manna Dewal Via Tilwara, Rudraprayag.
2. Sri Vijay Singh, S/o Sri Dilip Singh, R/o Village-Jakloli, P.O. – Sidhsour, District – Rudraprayag.
3. Anoj Singh, S/o Ranjeet Singh, R/o Village – Jokhnoli, P.O. – Jakhnoli, District – Rudraprayag.

……...Petitioners.

Versus

1. State of Uttarakhand, through Secretary, Education, Dehradun
2. Additional Director, (SCERT), Uttarakhand, Dehradun.
3. Additional District Education Officer, Rudraprayag.

…….Respondents.

Hon'ble M.M. Ghildiyal, J

Heard Sri Vikas Pandey, holding brief of Sri V.B.S. Negi, learned counsel for the petitioner and Sri Paresh Tripathi, learned counsel for State of Uttarakhand on behalf of respondents.

By means of this writ petition, petitioner has prayed that respondents be directed to consider the candidatures of the petitioners for Special BTC Training Course, as they have passed C.P.Ed. from Directorate of Sports and Youth Services, Amarawati, Maharastra in the year 1998.

In the advertisement, issued for Special BTC Training Course, it is specifically mentioned that only those candidates, who have passed C.P.Ed. prior to 1996 – 97 will

be considered for Special BTC Training Course. Since the petitioners are not having the qualification prescribed in the advertisement, as such, they are not entitled for Special BTC Training Course.

Learned counsel for the petitioners has submitted that similarly situated persons, who have passed C.P.Ed. in the year 1998, have applied for Special BTC Training Course in the year 2005 and their candidatures have been considered by the respondents for Special BTC Training Course.

In case, respondents have committed a wrong, this court has no power to direct the respondents to repeat the wrong.

In any case, this issue has already been decided by this court in writ petition No. 4459 of (S/S) 2001 (Pradeep Kumar Nautiyal & 20 Ors. Vs. State & Ors.) along with other connected writ petitions.

Writ petition lacks merit and as such, is dismissed. Stay application no. nil of 2007 is rejected accordingly. No order as to costs.

(M.M. Ghildiyal, J)

July 24, 2007
SKSharma